

**REMARKS**

The Examiner is thanked for the due consideration given the application.

Claims 1-7 and 10-26 are pending in the application. Claims 11-19 and 21-26 have been withdrawn. Claims 8 and 9 have been canceled and their subject matter has generally been incorporated into claim 1 (see also the specification at page 3, lines 22 to 24 and at page 7, lines 34 to 35). Other claim amendments improve the language in a non-narrowing fashion.

**Rejection Under 35 USC §112, Second Paragraph**

Claims 5 and 6 have been rejected under 35 USC §112, second paragraph as being indefinite. This rejection is respectfully traversed.

The Official Action asserts that the limitation "significantly higher" in claim 5 is unclear. However, this term has been amended to recite "higher", which is clear.

The Official Action asserts that temperature ranges set forth in claim 6 are unclear in light of a potential overlap of temperatures while claim 5 (from which claim 6 depends) sets forth that one range is higher than the other.

However there is no ambiguity. One of skill would recognize that a temperature must be selected from each range in a fashion that satisfies the "higher" limitation of claim 5. Although the threshold temperature and the stabilization temperature are recited as ranges, only one temperature must be

present at a given instant. Thus temperatures can be selected from the ranges set forth in claim 6 while satisfying the "higher" limitation of claim 5.

The claims are thus clear, definite and have full antecedent basis.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

### **Art Rejections**

Claims 1-5, 7, 9 and 20 have been rejected under 35 USC §102(b) as being anticipated by MANGANIELLO et al. (U.S. Patent 6,453,802).

Claims 6 and 8 have been rejected under 35 USC §103(a) as being unpatentable over MANGANIELLO et al. in view of POLSTER (U.S. Patent 5,613,423).

Claim 10 has been rejected under 35 USC §103(a) as being unpatentable over MANGANIELLO et al. in view of HANKS (U.S. Patent 1,913,442).

These rejections are respectfully traversed.

First, it is noted that the incorporation of claims instantly overcomes the anticipation rejection.

Now consider the present invention.

The present invention pertains to method of cooking with steam in a cooking oven. The present invention is illustrated by way of example in Figure 1 of the application, which is reproduced below.

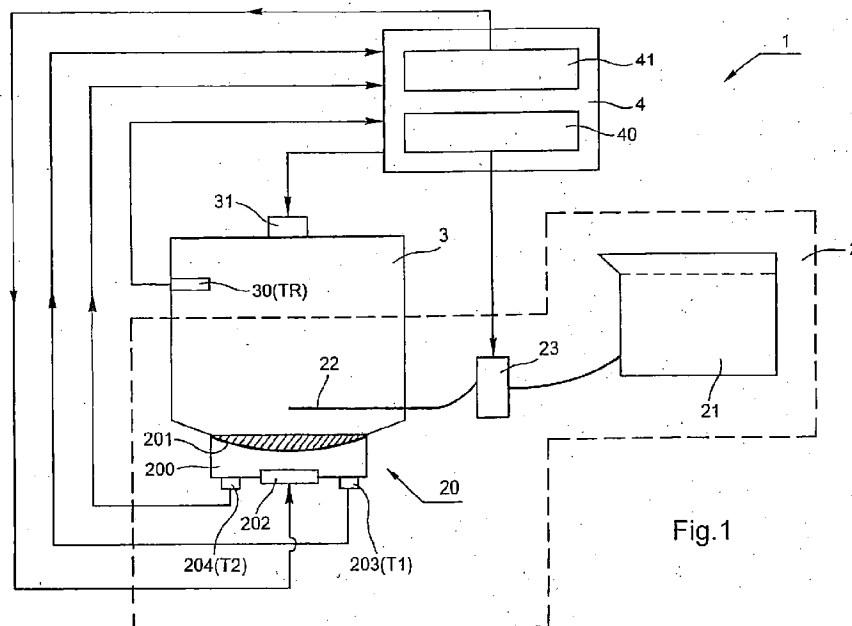


Fig.1

As shown in Figure 1, a cooking oven (1) is provided with a steam generator (2, 4). The steam generator (2,4) includes a water evaporation vessel (201) and a heating unit (200) which is in thermal contact with the water evaporation vessel (201). In a cooking phase, the water supply for the water evaporation vessel (201) is regulated. Regulation of the water supply includes the following phases: temperature increase is detected in the heating unit (200) whereupon the supply of water to the water evaporation vessel (201) is triggered in the case of said temperature increase. The supply of water for the steam generator (2, 4) is thus triggered on the basis of a simple, reliable detection which is adapted to mass consumer products.

As is set forth in instant claim 1, water is fed by gravity by opening a water feed circuit (21, 22, 23) for a predetermined time, said water circulating by gravity between a reservoir and the water evaporation vessel (201).

MANGANIELLO et al. pertain to a food steamer. The Official Action refers to Figure 4 of MANGANIELLO et al., which is reproduced below.

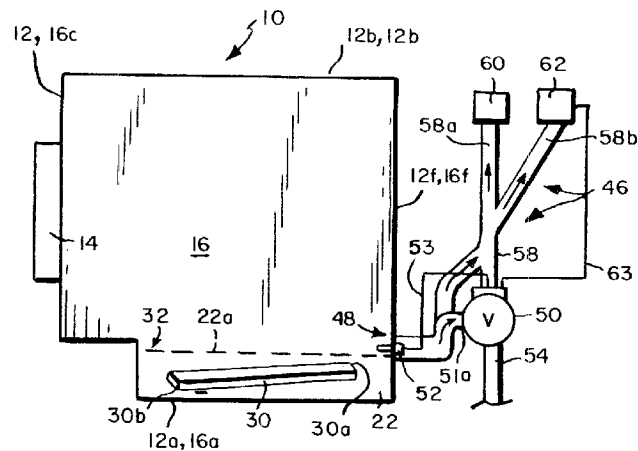


FIG. 4

The Official Action acknowledges that MANGANIELLO et al. do not disclose providing the feeding of water by opening a water feed circuit.

POLSTER discloses a cooking apparatus where a bath level control is provided. As is explained at column 8, line 57 to column 9, line 8 of POLSTER, the temperature differential between two sensors is operably connected with a water supply and control valve.

As a consequence, at a predetermined temperature differential between both sensors, the sensors activate the water inlet valve, allowing a small amount of added water to be incorporated into the bath.

However, POLSTER does not disclose a water feed circuit where water is fed by gravity, by opening a water feed circuit for a predetermined time.

Moreover, POLSTER does not disclose the feeding of water by gravity between a reservoir and the water evaporation vessel.

Since water is fed by gravity from the reservoir, the amount of water added in water evaporation vessel can be controlled by means of the predetermined time for opening the water feed circuit.

HANKS does not address the deficiencies of MANGANIELLO et al. and POLSTER discussed above.

One of ordinary skill and creativity would thus not produce claim 1 of the present invention from a knowledge of the applied art references. A *prima facie* case of unpatentability has thus not been made. Claims depending upon claim 1 are believed to be patentable for at least the above reasons.

These rejections are believed to be overcome, and withdrawal thereof is respectfully requested.

**Information Disclosure Statement**

The Official Action asserts that the Information Disclosure Statement filed May 5, 2006 did not include a copy of the cited foreign references. Appended to this paper please find copies of the cited foreign references along with a clean PTO-1449 form. It is respectfully requested that these references be made of record in the next Official Action.

**Conclusion**

Prior art of record but not utilized is believed to be non-pertinent to the instant claims.

As no issues remain, the issuance of a Notice of Allowability is respectfully solicited.

The Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any deficiency or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Robert E. Goozner/  
Robert E. Goozner, Reg. No. 42,593  
Customer No. 00466  
209 Madison Street, Suite 500  
Alexandria, VA 22314  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

REG/hc

**APPENDIX:**

The Appendix includes the following item:

- ☒ - a clean PTO-1449 form filed on May 5, 2006.